

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHARLES RIDGWAY, et al.,
Plaintiffs,
v.
WAL-MART STORES, INC.,
Defendant.

Case No. [08-cv-05221-SI](#)

**ORDER RE: DEFENDANT'S MOTION
TO STAY DEADLINE TO SERVE
SUPPLEMENTAL EXPERT REPORT**

Re: Dkt. No. 332

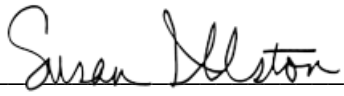
Defendant Wal-Mart Stores, Inc. (“Wal-Mart”) has filed an administrative motion to stay the deadline to serve its supplemental expert report. Docket No. 332, Def.’s Mot. Plaintiffs’ supplemental expert report was due on July 12, 2016, and defendant’s supplemental expert report was due on July 19, 2016. Docket No. 320 at 2. Defendant now argues that plaintiffs’ supplemental expert report “go[es] far beyond the 42 new class members, and instead effect[s] wholesale rewrites of expert reports whose deadlines passed weeks ago.” Def.’s Mot. at 1. Defendant states that it will file a motion to strike plaintiff’s supplemental expert report by July 22, 2016. Docket No. 332, Decl. of Jesse A. Cripps ¶ 12. In the meantime, defendant seeks a stay of its deadline to supplement its expert report, stating that its expert “will need at least until Friday, July 29, 2016 to complete a supplemental rebuttal report” but asking that the Court stay the deadline until after it rules on the motion to strike. *Id.* ¶¶ 11, 13.

Plaintiffs have filed an opposition, disputing Wal-Mart’s characterization of their supplemental expert report. Docket No. 333. They further state that they offered to stipulate to a one-week extension, making Wal-Mart’s supplemental expert report due on July 26, 2016. *Id.* at 2. They also note that their expert is currently set to be deposed on July 26, 2016, which is the deadline that the Court set in its prior scheduling order. *Id.*; Docket No. 320 at 2.

1 Having considered the papers filed, the Court hereby ORDERS as follows. Wal-Mart shall
2 have an extension of time to file its supplemental expert report from Dr. Jonathan Walker; Wal-
3 Mart may serve Dr. Walker's supplemental report **no later than July 29, 2016**. Wal-Mart shall
4 make Dr. Walker available for deposition **within fourteen days** of the service of his report.
5 Plaintiffs shall have an extension of the deadline by which to make their expert, Dr. G. Michael
6 Phillips, available for deposition until one week after Wal-Mart has served Dr. Walker's
7 supplemental report.

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9 **IT IS SO ORDERED.**

10 Dated: July 20, 2016

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13 SUSAN ILLSTON
14 United States District Judge
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